

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GERALD JONES,

Plaintiff,

vs.

RAKESH CHANDRA,

Defendants.

)
)
)
)
)
)
)
)
)
)

Civil Case No. 02-1161-JPG

ORDER

FRAZIER, Magistrate Judge:

Before the Court are pending motions. The first item considered is plaintiff's motion for an extension of time to complete discovery. The motion is opposed on the basis that the parties have had ample time to exchange information regarding plaintiff's claims (Doc. Nos. 123, 124).

This Court will modify discovery deadlines upon a showing of good cause. Fed. R. Civ. P. 16(b). Discovery has been ongoing in this case for almost one full year. Considering all the circumstances, including plaintiff's confinement and pro se status, plaintiff's efforts to obtain information and the obstacles confronted, the nature of the claims and defenses, the proposed discovery, prior discovery, and the prior extension, the Court finds no good cause for an additional extension of the discovery deadline. This motion (Doc. No. 119) is DENIED.

Also pending is plaintiff's motion to strike the motions for summary judgment, filed by the defendants on March 3, 2006 (Doc. No. 125). That motion is opposed (Doc. No. 129, 134). In support of this motion, plaintiff claims that he is not in a position to submit evidence opposing the motions. He states that he could not obtain free copies of documents that were confiscated by prison

officials, that he did not receive some discovery responses, that he received incomplete discovery responses, and that falsified documents were offered in support of the motions.

When opposing affidavits are unavailable, the Court may refuse an application for summary judgment. Fed. R. Civ. P. 56(f). The Court is not persuaded that facts essential to justify plaintiff's position on the claims and defenses are unavailable. This motion (Doc. No. 125) is DENIED. However, the Court will give plaintiff one final opportunity to supplement his response to the summary judgment motions. Plaintiff may file a final supplemental response by July 12, 2006.

Also pending is plaintiff's motion for adequate notice and copies (Doc. No. 126). Plaintiff believes he may not have received everything that has been filed with the Clerk. This motion is (Doc. No. 126) is MOOT. Plaintiff received a complete copy of the supplement filed as Document No. 122.

Also pending is plaintiff's motion to compel (Doc. No. 135). Ruling is RESERVED. Within ten days, plaintiff shall supplement this motion with copies of or a verbatim recitation of the specific discovery requests and responses/objections at issue. SDIL-LR 26.1(b)(3).

SO ORDERED: June 13, 2006.

s/Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE